

RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
Docket No.: 1046.1028D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tetsuya NISHI et al.

Serial No. 09/631,355

Group Art Unit: 2872

Confirmation No. 9683

Filed: August 2, 2000

Examiner: Ricky D. Shafer

For: POLARIZATION CONTROL OPTICAL SPACE SWITCH

AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: **BOX AF**

Sir:

This is in response to the Office Action that was mailed on October 7, 2003, which has a period for response that is set to expire on January 7, 2004. A Petition for a one-month extension of time, together with the requisite fee for the same, is submitted herewith, thereby extending the period for response to February 7, 2004. Because February 7, 2004 is a Saturday, this Amendment is timely filed by Monday, February 9, 2004.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.

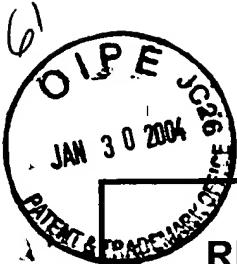
Amendments to the claims begin on page 2 of this Amendment.

Remarks begin on page 4 of this Amendment.

02/03/2004 AWONDAF1 00000073 09631355

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110.00 OP



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**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No.	1046.1028D2
Application Number	09/631,355
Filing Date	August 2, 2000
First Named Inventor	Tetsuya NISHI et al.
Group Art Unit	2872
Examiner Name	Ricky D. Shafer

AMOUNT ENCLOSED	\$110.00
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FEE CALCULATION (fees effective 10/01/00)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	9	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	1	- 6 =	0	X \$ 84.00 =	\$ 0.00

Since an Official Action set an original due date of January 7, 2003, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$410); 3 months (\$920); 4 months (\$1,440); 5 months (\$1,960)):

If Notice of Appeal is enclosed, add (\$320)	
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110)	
Total of above Calculations =	\$ 110.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)	
TOTAL FEES DUE =	\$ 110.00

- (1) If entry (1) is less than entry (2), entry (3) is "0".
- (2) If entry (2) is less than 20, change entry (2) to "20".
- (4) If entry (4) is less than entry (5), entry (6) is "0".
- (5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

☒ Check enclosed as payment.

☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.

☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No.	19-3935
Deposit Account Name	STAAS & HALSEY LLP

☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP			
Typed Name	Matthew Q. Ammon	Reg. No.	50,346
Signature		Date	1-30-2004